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Californian Gets Life Sentence in Espionage Case

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SAN FRANCISCO, May 14 — James Durward Harper Jr., the engineer who last month pleaded guilty to conspiring to sell United States missile research data to Polish intelligence agents, was sentenced to life in prison by a Federal district judge here today.

In imposing the maximum sentence, Judge Samuel Conti told Mr. Harper, "You are a traitor to your country" who acted "for greed and for money."

"There can be no crime more serious than selling our defense secrets," the judge said. "It goes to the very heart and existence of our freedom."

Judge Conti said he would recommend to the parole authorities that Mr. Harper, who is 50 years old, never be released on parole. However, the authorities are not bound by his recommendation.

Under Federal law, Mr. Harper could be considered for parole in 10 years and would serve no more than 30 years on a life sentence.

Mr. Harper's attorney, Jerrold M. Ladar of San Francisco, had asked Judge Conti to impose a sentence of 20 years. Mr. Ladar said in court today that many of the documents his client had passed to Polish agents were unclassified and that Mr. Harper had been cooperating with the Government in their investigation of others alleged to be involved in the scheme involving documents obtained from two companies that were under contract to the De-

fense Department.

But John C. Gibbons, who headed the United States Attorney's prosecution team, told the court today that Mr. Harper as "a traitor" who "came to the Government with the cunning of a jackal" seeking immunity from his crimes.

"He gave over high-tech information that every Eastern European intelligence community would like to get its hands on," Mr. Gibbons said. "He sold his country, and really the Western Bloc, down the sewer."

Mr. Harper, who was an electronics engineer in the high-technology region near San Jose, pleaded guilty on April 16 to one count of conspiracy to deliver military information to aid a foreign government. He was arrested Oct. 15 and charged with obtaining weapon

systems data and selling it to the Polish Intelligence Service for more than \$250,000.

In exchange for the guilty plea and cooperation with the Government investigation in the case, other charges were dismissed.

Government officials today declined to discuss how soon Mr. Harper might testify before a grand jury or what other individuals they might pursue in connection with the case.

A Federal Bureau of Investigation affidavit named Ruby Louise Schuler Harper, Mr. Harper's wife, as the source of the documents, which were taken from Systems Control Inc. and Systems Control Technology, both of Palo Alto, where she had been an executive secretary. Mrs. Harper died in June 1983.